

MESSAGE NO: 9012201 MESSAGE DATE: 01/12/2009

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-549-822

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 02/01/2007 TO 01/31/2008

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NOTIFICATION: PARTIAL RESCISSION OF AD REVIEW ON FROZEN WARMWATER SHRIMP FROM THAILAND (A-549-822-000/024) FROM MULTIPLE FIRMS. LIFTING OF SUSPENSION 12/19/2008.

MESSAGE NO: 9012201

DATE: 01 12 2009

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 549 - 822

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PERIOD COVERED: 02 01 2007 TO 01 31 2008

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: NOTIFICATION: PARTIAL RESCISSION OF AD REVIEW ON FROZEN WARMWATER SHRIMP FROM THAILAND (A-549-822-000/024) FROM MULTIPLE FIRMS. LIFTING OF SUSPENSION 12/19/2008.

THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

1. THE ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER ON CERTAIN FROZEN WARMWATER SHRIMP FROM THAILAND (A-549-822), COVERING THE PERIOD 02/01/2007 THROUGH 01/31/2008, HAS BEEN RESCINDED FOR THE FIRMS LISTED BELOW BECAUSE THEY REPORTED TO THE DEPARTMENT OF COMMERCE THAT THEY HAD NO SHIPMENTS OF SUBJECT MERCHANDISE DURING THE PERIOD.

COMPANY: NR INSTANT PRODUCE CO., LTD
CASE NUMBER: A-549-822-024
(ENTRIES MAY HAVE ENTERED UNDER A-549-822-000)

COMPANY: DYNAMIC INTERTRANSPORT CO., LTD
CASE NUMBER: A-549-822-000

COMPANY: LUCKY UNION FOODS CO., LTD
CASE NUMBER: A-549-822-000

COMPANY: MKF INTERFOOD (2004) CO., LTD
CASE NUMBER: A-549-822-000

COMPANY: SIAM CANADIAN FOODS CO., LTD
CASE NUMBER: A-549-822-000

COMPANY: SKY FRESH CO., LTD
CASE NUMBER: A-549-822-000

COMPANY: SONGKLA CANNING (PCL)
CASE NUMBER: A-549-822-000

COMPANY: SURAT SEAFOODS CO., LTD
CASE NUMBER: A-549-822-000

COMPANY: TEP KINSHO FOODS CO., LTD
CASE NUMBER: A-549-822-000

COMPANY: THAI EXCEL FOODS CO., LTD
CASE NUMBER: A-549-822-000

COMPANY: GROBEST FROZEN FOODS CO., LTD
CASE NUMBER: A-549-822-000

COMPANY: THAI UNION MANUFACTURING CO., LTD
CASE NUMBER: A-549-822-000

2. AS A RESULT OF COMMERCE'S CLARIFICATION OF ITS ASSESSMENT REGULATION ON MAY 6, 2003 (68 FR 23954), FOR ALL SHIPMENTS OF CERTAIN FROZEN WARMWATER SHRIMP FROM THAILAND PRODUCED BY NR INSTANT PRODUCE CO., LTD., ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION, DURING THE PERIOD 02/01/2007 THROUGH 01/31/2008, ENTERED UNDER THE CASE NUMBER A-549-822-024 AND NOT COVERED BY PARAGRAPH ONE, ASSESS ANTIDUMPING DUTIES AT THE ALL-OTHERS RATE IN EFFECT ON THE DATE OF ENTRY. THE ALL-OTHERS RATE FOR CERTAIN FROZEN WARMWATER SHRIMP FROM THAILAND IS 5.95 PERCENT.

3. NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF THE MERCHANDISE FOR THE PERIOD LISTED ABOVE OCCURRED WITH THE PUBLICATION OF THE NOTICE OF THE PARTIAL RESCISSION OF ADMINISTRATIVE REVIEW (73 FR 77612 12/19/2008). FOR ALL OTHER SHIPMENTS OF CERTAIN FROZEN WARMWATER SHRIMP FROM THAILAND YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

4. THERE ARE NO INJUNCTIONS APPLICABLE TO THE ENTRIES COVERED BY THIS INSTRUCTION.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER.

INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE

CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CBP SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF COMMERCE'S REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE MANUFACTURER, PRODUCER, SELLER, OR EXPORTER, TO BE REIMBURSED ANTIDUMPING DUTIES, CBP SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CBP SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINAHASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY 02:TKS).

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

DAVID M. GENOVESE

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party